

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1-14.

Claim 1 is amended to recite that the hydrogen absorbing alloy, forming the negative electrode, is necessarily limited to a fluorinated hydrogen absorbing alloy. The disclosure supporting this feature to exclude an unfluorinated alloy is found on page 8, paragraph [0033].

The significance of this amendment will become further apparent from the remarks below.

Claims 1, 3 to 8 and 10 have been rejected under 35 U.S.C. 102 as anticipated by Lee et al., on the ground that Lee teaches use of a hydrogen absorbing alloy for making the negative electrode in a liquid fuel cell (column 4, lines 34-44).

In reply, claim 1 is amended as above to recite the negative electrodes as those made from a fluorinated hydrogen absorbing alloy. This rejection is untenable because Lee is absolutely silent on the fluorination treatment of the hydrogen storage alloy making the negative electrode.

Various dependent claims have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lee alone or in view of a secondary reference.

In reply, now that the allowability of the independent claim is established by the above amendment of claim 1, the rejections of the dependent claims, which depend from claim 1, either directly or indirectly, are untenable.

In connection with claim 13, the Official Action points out that Wang teaches incorporation of a PTFE powder into the catalytic layer of an electrode as if to indicate that incorporation of a PTFE powder has an equivalent effect to the fluorination treatment recited in the present claims. This position, if taken, is untenable both from a structural and compositional aspect.

Moreover, there is no linking disclosure that a PTFE powder has an activity to fluorinate the alloy surface. Rather, a PTFE resin is a very stable polymer with no possibility of reacting with a metal or alloy, even though the PTFE-incorporated catalyst layer is rendered waterproof (line 6 of the Abstract) by virtue of the unique surface property of the PTFE resin.

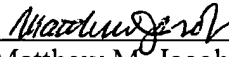
For the foregoing reasons, it is apparent that the rejections on prior art are untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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